

KLINEDINST PC
801 K STREET, STE. 2800
SACRAMENTO, CALIFORNIA 95814

Natalie P. Vance, Bar No. 206708
Reina G. Minoya, Bar No. 227885
KLINEDINST PC
801 K Street, Suite 2800
Sacramento, California 95814
(916) 444-7573/FAX (916) 444-7544
nvance@klinedinstlaw.com
rminoya@klinedinstlaw.com

Attorneys for Defendant
JOHN S. LEIPSIC, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

TARANTINOS, INC., and MACMARIN,
INC.,

Plaintiffs,

v.

CONSECO LIFE INSURANCE
COMPANY, JOHN S. LEIPSIC, INC.,
and DOES ONE through TEN,

Defendants.

Case No. CV 09 1974 SBA
Electronic File Only

**STIPULATION AND ORDER RE:
EXTENSION OF TIME FOR DEFENDANT
JOHN S. LEIPSIC, INC. TO FILE
RESPONSIVE PLEADING TO COMPLAINT**

Judge: Hon. Sandra Brown Armstrong
Complaint Filed: May 5, 2009 (Notice of Removal)
Trial Date: None set

Plaintiffs Tarantinos, Inc. and Macmarin, Inc. and Defendant John S. Leipsic, Inc., by
and through their respective attorneys of record, stipulate and agree as follows:

1. Plaintiffs originally filed this action in the Superior Court of the State of California, County of San Francisco on April 3, 2009 (Case No. CGC-09-486939).
2. Defendant Consec Life Insurance Company filed a notice of removal to Federal Court on May 5, 2009 based on fraudulent joinder.
3. Defendant John S. Leipsic, Inc. was allegedly served with the complaint on May 15, 2009.
4. Plaintiffs filed a Motion to Remand on June 3, 2009, the hearing for which was scheduled for July 7, 2009.

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5. On June 8, 2009, Defendant John S. Leipsic, Inc. requested from Plaintiffs an extension of time to file its responsive pleading until after the hearing on Plaintiffs' motion to remand, as the motion may result in the case being transferred back to state court. Plaintiffs' counsel agreed to consider the request and in the meantime granted a fifteen-day extension of time to respond to until June 30, 2009.

6. Plaintiffs' hearing on the motion to remand was rescheduled for September 22, 2009.

IT IS HEREBY STIPULATED AND AGREED by and between the attorneys of record for Plaintiffs and Defendant John S. Leipsic, Inc., and pursuant to the Local Rules of Practice in Civil Proceedings before the United States District Court for the Northern District of California, Local Rules 6-1 and 7-12, that Defendant John S. Leipsic, Inc.'s time to file a responsive pleading to Plaintiffs' complaint is extended until two weeks after the order granting/denying Plaintiffs' motion to remand. The requested time modification would not have an effect on the schedule for this case, and will not alter the date of any event or deadline already fixed by the Court.

IT IS SO STIPULATED.

Dated: June 25, 2009

COOPER, WHITE & COOPER, LLP

By: /s/ Scott M. McLeod

Stephen Kaus
Scott M. McLeod
Attorneys for Plaintiffs TARANTINOS, INC. and
MACMARIN, INC.

Dated: June 25, 2009

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By: /s/ Reina G. Minoya

Natalie P. Vance
Reina G. Minoya
Attorneys for Defendant JOHN S. LEIPSIC, INC.

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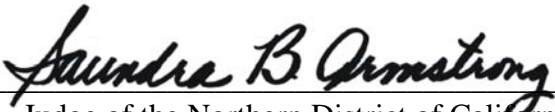
ORDER

The Court having read and considered the stipulation entered into by and between Plaintiffs and Defendant John S. Leipsic, Inc., and good cause appearing therefore;

PURSUANT TO STIPULATION, IT IS SO ORDERED that Defendant John S. Leipsic, Inc.'s time to file a responsive pleading to Plaintiffs' complaint is extended until two weeks after the order granting/denying Plaintiffs' motion to remand. The requested time modification will not have an effect on the schedule for this case, and will not alter the date of any event or deadline already fixed by the Court.

IT IS FURTHER ORDERED THAT Defendant's opposition to the motion to remand shall be filed no later than two (2) weeks after the date this Order is filed. Plaintiff's reply shall be due one (1) week thereafter. The hearing date on the motion to remand shall remain unchanged.

DATED: June 30, 2009



Judge of the Northern District of California

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801 K STREET, STE. 2800
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801 K STREET, STE. 2800
SACRAMENTO, CALIFORNIA 95814

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